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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/736,143	10/28/1996	THOMAS APPLE	03294.0027-0	3553

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EXAMINER

BLACKMAN, ANTHONY J

ART UNIT	PAPER NUMBER
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2676

DATE MAILED: 02/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Interview Summary	Application No. 08/736,143	Applicant(s) APPLE ET AL.	
	Examiner ANTHONY J BLACKMAN	Art Unit 2676	

All participants (applicant, applicant's representative, PTO personnel):

- (1) ANTHONY J BLACKMAN. (3) _____
 (2) CHRIS CENTURELLI, REG. NO. 44,599. (4) _____

Date of Interview: 03 February 2003 .

Type: a) ☒ Telephonic b) ☐ Video Conference
 c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
 If Yes, brief description: _____ .

Claim(s) discussed: 1-38 .

Identification of prior art discussed: _____ .

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet .

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

i) ☐ It is not necessary for applicant to provide a separate record of the substance of the interview(if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


 Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case unless both applicant and examiner agree that the examiner will record same. Where the examiner agrees to record the substance of the interview, or when it is adequately recorded on the Form or in an attachment to the Form, the examiner should check the appropriate box at the bottom of the Form which informs the applicant that the submission of a separate record of the substance of the interview as a supplement to the Form is not required.

It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Examiner was ordered by the Patent Board of Appeals to: 1). provide a copy of paper number 23 (the final office action), 2) enter the amendment for paper number 26, and 3) notify appellants in writing of action taken. Examiner requested a copy of paper number 23, from appellant because examiner's copy was not available (corrupted data file). Examiner appreciates Mr. Centurelli's assistance. Examiner will fax a copy of the interview summary on 2/4/2003 to appellant, notifying appellant of action taken for paper number 33, complying with the order given by the Patent Board of Appeals. .

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DETAILED ACTION

Response to Arguments

1. Examiner acknowledges the interview with applicant's representatives; Denis G. Maloney, Christopher Centurelli, and Jim Wymard 3/29/2001, the supplied information provided a better understanding of the instant application, however the recited claims still do not overcome cited prior art. Examiner interprets the main reference of Marshall, with secondary references Risberg et al, Lauer et al, and Knee et al overcoming the recited claims in their entirety. Examiner has included Response to Arguments of the prior office action (paper number 16) with additional comments for Amendment E, paper number 18. Marshall teaches a virtual reality generator capable of receiving financial information. The virtual reality generator outputs to a display device. The financial information can be received from a data file. (Please see abstract). There are four main points that provides links from Marshall to the secondary references. They are as follows;

(I) The virtual reality world is displayed using sophisticated output devices, such as high resolution screens (see column 1, lines 10-20). This disclosure opens the door for other display devices to utilize the teachings of Marshall's corporate logo including various financial indicators along with the selection of Tokyo and New York stock markets in the virtual reality world where the corporate logo is literally textured on the top or on the side of the polygon (the polygon is equated to the stock's various financial indicators (See column 6, lines 5-43), for example, the ticker display

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of Risberg et al disclosing various financial instruments and tickers showing trade data (see abstract, lines 17-27).

(II) Marshall teaches stock and commodity brokers and foreign exchange traders that receive continuous streams of data via communications links from financial trading groups, such as Reuters and Dow Jones as (see column 2, lines 57-60). Marshall implicitly alludes to the means of a ticker display (sophisticated output device) for at least financial data (continuous streams of financial data).

(III) The selection and interpretation of the Tokyo and New York stock markets suggest some form of sophisticated output device as a means to display the financial and stock market information (see column 6, lines 10-17). Further, combining the various financial data, continuous financial data streams, polygon with juxtaposed corporate logo with various financial indicators with- in a sophisticated output device, such as Risberg et al's ticker device which is capable of receiving/displaying real-time data, the main concept of the instant application is met. Admittedly, the merits of the office action rest upon the links/motivations between firstly, Marshall and Riserg et al. In conclusion, Marshall teaches the following: *utilization of a sophisticated output device*; known reception of continuous streams of financial data from Reuters and Dow Jones; the selection and interpretation of Tokyo and New York stock markets in a virtual reality engine; and the polygon containing various means to express financial indications juxtaposed with a corporate logo. The corporate logo, though not the same as a company symbol as disclosed during the noted interview, is not recited in the claim language. Furthermore, Marshall and Risberg et al share similar means of

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content, i.e., continuous streams of financial data displayed upon sophisticated output devices. Finally, a video wall display of Lauer et al is related to the same display environment of Risberg et al as a sophisticated output device.

Regarding applicants Remarks of paper number 18, please refer to examiner's response of paper number 16. Examiner will now respond to claims with substantially different/new matter. Regarding claim 14, Risberg et al disclose the means of voice designation (see column 2, lines 15-25). Claim 15 recites amended claim language wherein "...a data structure associating the extracted financial instrument identifiers..." has been disclosed by Marshall (see column 4, lines 48-67, column 5, lines 39-60, column 12, lines 16-57); "... a plurality of individual monitors arranged into a composite display to receive the first and second display signals and display the financial data..." (See column 4, lines 28-39 and column 8, lines 22-37 of Marshall discloses utilization of three modules which perform the means of receiving and displaying said financial data from a first and second display signals).

The examiner has disclosed the prior office action.

The examiner agrees with applicant that claims 18 and 20 overcome the previous office action. However, examiner respectfully disagrees with applicant's assertion that the remaining claims as amended are patentably distinct over the cited references regarding the following issues; (a) from page 7 (at the bottom of the page, not the top of the page which is designated as 6) of paper No. 15,

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"There is no teaching of a database to store graphic symbols that represent entities whose financial instruments are identified by instrument identifiers in the feed." Please refer to Marshall US Patent No. 5,675,746, Id. at column 4, lines 48-67, column 5, lines 39-60, and column 12, lines 16-57 which explain the relationship between the database and associated financial data. For example, Marshall cites the knowledge and the utilization of a database of financial information, such as CAPRI which receives input real-time, financial data from on-line services such as Reuters' ...in the form of "raw" financial data and later stores financial information for later analysis. (b) from page 7 of Paper No. 15, applicant feels that the motivation to combine Risberg to Marshall is in error because Marshall does not suggest association of a corporate logo with a value associated with the financial instrument. Please refer to Marshall column 6, lines 20-50, where Marshall relates a company's corporate logo textured on top of or on the side of a polygon. The

polygon in turn, is associated with various financial data by manipulating various aspects of the polygon's scale, color, shape, position, animation and textures (noted specifically at column 6, lines 41-43) which may be fed from several incoming data streams (used as a source of the financial information for one virtual reality world (column 6, lines 44-45). Examiner notes texturing the logo upon the polygon is equivalent to juxtaposing the logo with real-time financial data. Applicant admits that Risberg discloses a conventional ticker display. Marshall and Risberg share the platform of analogous art, through at least their association with at least Reuters and associated financial,

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stock, and market data, along with streams of trade data (Risberg, column 1, lines 60-68). Additionally, Marshall discloses examples of Reuters and Knight-Ridden Inc. utilizing digital data servers (column 2, lines 55-67) as further reasoning to link Risberg et al's association with data link and financial data, and ticker display illustrated in figure 1, as well as figure 8, which illustrates the means of information extraction, storage, updating, and the rendering of the updated object.

© from page 8 of Paper No. 15, applicant submits that the motivation to combine the means of Lauer et al's wall size display is improper because there is no basis for considering that the virtual reality function of Marshall is useful with a wall size monitor as disclosed in Lauer et al. Examiner respectfully disagrees because it would have been obvious for one at the time of the invention to combine the modified device of Marshall and Risberg. Marshall discloses that "the virtual reality world is displayed using sophisticated output devices, such as high resolution color scenes..." (identified at column 1, lines 15-20) with the secondary reference of Lauer et al's modular

displays/large screen displays are considered as analogous art to applicant's "video wall". Additionally, Risberg et al disclose the means of tickers showing trade data (abstract, lines 17-27). Examiner's utilization of a large screen display as analogous art to the applicant's "video wall" is merely a supplement to applicant's instant invention as a sophisticated output device. Therefore examiner maintains rejection over claim 1 because the main reference of Marshall utilizes secondary references of Risberg et al and Lauer et al to highlight information regarded as well-known in the

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art. (d) from page 8 of Paper No. 15, applicant submits that claim 3, which recites that the values include the current trading price of stocks, is not suggested by the base reference of Marshall. Examiner respectfully disagrees. Marshall discloses various examples illustrating that it is well-known in the financial market place to monitor real-time incoming data using complex graphical models (column 2, lines 45-47), followed by "Financial trading groups... receive continuous streams of data via communication links information providers such as Reuters and Dow Jones" (column 2, lines 5760). Marshall explicitly discloses utilization of "An input module (that) continuously receives a stream of financial information" (column 4, lines 29-30).

(e) from page 8 of Paper No. 15, applicant submits that claim 4, which recites that the graphic symbols include corporate logos for companies issuing stocks, is not suggested by Marshall or the combination of references. Marshall's utilization of the company logo textured (juxtaposed) upon polygons, where the polygons represent associations with various forms of financial data, clearly

suggests a case for obviousness that the financial data may be utilized for the purpose of issuing stocks.

(f) from page 9 of Paper No. 15, applicant submits that claim 5, which recites that there is no suggestion of a control system that processes the display signal to produce a moving ticker display of corporate logos and values of trades and stocks, is not suggested by Marshall or the combination of references. Please refer to Response to Arguments, sections (c), and (d).

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(g) from page 9 of Paper No. 15, applicant submits that claims 6-14, specifically, claim 9, recites that the display signals are fed to the individual monitors to render a different graphic symbol and associated financial data on each of the monitors. The secondary reference of Lauer et al to the modified device of Marshall discloses that " because of its internal processing capability, each module is equipped to take data and either convert it into real pixels for presenting a portion of the image to be displayed or permit routing of data to other modules." (column 3, line 61 to column 4, line 5). Furthermore, Lauer et al teach prior art of passive modular displays that paint a full image across the entire display (column 6, lines 6-47). It would be obvious to one at the time of the invention that Lauer et al's utilization of modular displays overcomes the amendment of the recited claim 9.

(h) from page 9 of Paper No. 15, applicant submits that claims 15 and 16 are patentably distinct over the references because they do not describe or suggest "...graphic symbols being publicly acknowledged identifiers of entities whose financial instruments are identified by instrument identifiers

in the feed." This added limitation is merely a re-written account of a previously recited limitation that has already been overcome by the combination of references. Please refer to section (a).

(1) from page 9 of Paper No. 15, applicant has amended the claim by adding "...juxtaposed... real-time textual data" asserting, once again that the combination of references with Marshall, Risberg et al along with Lauer et al do not overcome the amended recited claim of 17. Examiner respectfully

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disagrees. Examiner has properly explained reasoning for motivation of the three references in sections (b) and (c). The art holds and is on point regardless of the format of the display. Well-known ticker display technology juxtaposes company/corporate symbols with financial/ stock/market data. For example, Risberg et al discloses this feature in Figure 1, element 18. Marshall, taken alone discloses the company logo textured (juxtaposed) upon (financial/stock/market) the polygon, as well as a database that is linked with the financial data including real-time textual data associated with financial instrument identifiers in the feed real-time data feed (column 5, lines 18-20, 33-36, 39-41, 48-57), clearly suggests that the real-time financial data associated with the polygon that must be juxtaposed with the company logo, does not overcome the instant application, even though Marshall discloses the requirement of utilizing sophisticated output devices (column 1, line 17) such as Risberg et al's ticker display of Figure 1, and is further supplemented by Lauer et al's large screen .modular display. However Risberg et al, taken alone, disclosing the structure and method for a ticker display means does not meet limitations of the instant invention. Lauer et al , taken alone, disclosing a large screen display containing modules capable of displaying an entire "picture" does not meet the limitations of the instant application. Risberg et al may be combined with Marshall for at least the following reasons; changes in the stock price are reflected on the display when (column 1, lines 59-60), the program can support data feeds from at least Reuters Market Feed 2000/IDN (column 3, lines 17-19) because Marshall and Risberg et al clearly share similar functions as analogous art that is at least related to the real-time evaluation of financial data. However, taken